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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,374	09/16/2003	Kurt G. Knoepfler	ZUMST1.002AUS	1623

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EXAMINER	
EWALD, MARIA VERONICA	

ART UNIT	PAPER NUMBER
1722	

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/663,374	KNOEPFLER, KURT G.	
	Examiner	Art Unit	
	Maria Veronica D. Ewald	1722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 7/27/05

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-7 is/are pending in the application.

4a) Of the above claim(s) 1 and 2 is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 3-7 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 16 September 2003 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 05-05,02-04,09-03.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

13. Claims 1 and 2 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on July 27, 2005.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3 – 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiSimone (U.S. 5,518,387) in view of Rees (U.S. 3,804,568), further in view of Schilke (U.S. 4,544,519), and further in view of Cress, et al (U.S. 4,121,402). DiSimone teaches an injection molding machine with a handling system for injection-molded parts (column 4, lines 38 – 40) comprising an arm of a removal device, which can be made to move into and out of a parting plane between opened mold halves (column 4, lines 60 – 62) wherein the injection-molding machine comprises: a multi-daylight mold with more than two parting planes between a number of mold halves and wherein the removal device has a number of arms corresponding to the number of parting planes of the multi-

daylight mold (figure 5; column 4, lines 32 – 33, 65 – 67). DiSimone, however, does not teach the presence of a transfer device, a conveying path, or multiples thereof.

In a method to remove molded articles from an injection-molding machine, Rees teaches a removal means with arms which moves into and out of a parting plane between opened mold halves (column 3, lines 29 – 35), a transfer device which is comprised of a pivotable transfer plate which can be pivoted by an actuating device through approximately 90° into a transfer position, which takes over the removed injection-molded parts from the arm of the removal device (column 2, lines 24 – 26; column 4, lines 26 – 31), and a conveying path (column 4, lines 37 – 38) on which the injection-molded parts are deposited. Rees, however, does not suggest or disclose multiple transfer plates or conveying paths, though to those skilled in the art, the use of transfer plates and multiple conveying paths is known. For example, in a method to manufacture footwear soles using a molding machine, Schilke teaches the use of two mold halves on an assembly line with transfer assemblies and conveyor systems. Schilke further teaches that there are at least two transfer devices (item 19 – figure 2; column 3, lines 1 – 5) arranged offset in relation to one another and at least two conveying paths, which lie next to one another and are assigned to the transfer units (item 20 – figure 2; column 3, lines 6 – 10).

In addition, in a method to form foam plastic containers, Cress, et al. teach the use of a system of conveyors/drive chains and forming mandrels. Cress, et al. further teach the use of transfer plates to which the products or discs are deposited (column 8, lines 64 – 66). Subsequently, the transfer plates are indexed into a registry with a

passing finishing mandrel and the discs are then stripped from the transfer plates onto the base of the mandrel (column 9, lines 1 – 3, 19 – 21). This reads on the Applicant's claim that the transfer devices comprise multiple transfer plates.

Therefore, it would have been obvious at the time of the Applicant's invention to one of ordinary skill in the art to modify the apparatus of DiSimone to incorporate the transfer device, consisting of a transfer plate, of Rees, multiplied to include several transfer plates as taught by Cress, et al. and the multiple conveyors of Schilke for the purposes of 1) taking the molded articles from the removal device and releasing such articles onto an underlying receptacle as taught by Rees and 2) ensuring that several articles can be removed at one time resulting in efficiency and productivity when incorporating the multiple transfer plates and conveying paths of both Cress, et al. and Schilke.

Claims 5 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiSimone (U.S. 5,518,387) in view of Rees (U.S. 3,804,568), further in view of Cress, et al. DiSimone teaches an injection-molding machine with a handling system for injection-molding parts (column 4, lines 38 – 40), comprising at least one arm of a removal device, which can be made to move into and out of a parting plane between opened mold halves (column 4, lines 60 – 62), wherein the injection-molding machine comprises a multi-daylight mold with more than two parting planes between a number of mold halves wherein the removal device has a number of arms corresponding to the number of parting planes of the multi-daylight (figure 5; column 4, lines 32 – 33, 65 – 67).

DiSimone, however, does not teach the presence of a transfer device consisting of transfer plates or a conveying path.

In a method to remove molded articles from an injection-molding machine, Rees teaches a removal means with arms which moves into and out of a parting plane between opened mold halves (column 3, lines 29 – 35), and a transfer device which takes over the removed injection-molded parts from the arm of the removal device column 4, lines 26 – 31), and a conveying path (column 4, lines 37 – 38) on which the injection-molded parts are deposited. Rees further teaches that the transfer device is subdivided into at least two units, of which at least one unit can be made to move into a transfer station over the assigned conveying path (figure 2, column 4, lines 26 – 31, 35 – 38, 40 – 50). In addition, Rees teaches that the transfer units comprise a pivotable transfer plate, which can be pivoted by an actuating device through approximately 90° into a transfer position (column 4, lines 26 – 31). Furthermore, the reference teaches that the guide of the removal device extends over the multi-daylight mold or outside the latter (item 32 – figure 2) and over the transfer device transversely in relation to the longitudinal axis of the injection-molding machine and the direction of movement of the conveying path (item 76 – figure 2), wherein the arms of the removal device protrude downwards from the guide (column 3, lines 29 – 32). Though Rees does not teach the use of multiple transfer plates, it is known to those skilled in the art that several transfer plates can be used to receive molded or finished products and such plates are used to deposit the products onto a receptacle means for further processing. For example, in a method to form foam plastic containers, Cress, et al. teach the use of a system of

conveyors/drive chains and forming mandrels. Cress, et al. further teach the use of transfer plates to which the products or discs are deposited (column 8, lines 64 – 66). Subsequently, the transfer plates are indexed into a registry with a passing finishing mandrel and the discs are then stripped from the transfer plates onto the base of the mandrel (column 9, lines 1 – 3, 19 – 21). This reads on the Applicant's claim that the transfer devices comprise multiple transfer plates.

Therefore, it would have been obvious at the time of the Applicant's invention to one of ordinary skill in the art to modify the apparatus of DiSimone to incorporate the transfer device, consisting of a transfer plate, of Rees, multiplied to include several transfer plates as taught by Cress, et al. for the purposes of 1) taking the molded articles from the removal device and releasing such articles onto an underlying receptacle as taught by Rees and 2) ensuring that several articles can be removed at one time resulting in efficiency and productivity when incorporating the multiple transfer plates of Cress, et al.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria Veronica D. Ewald whose telephone number is 571-272-8519. The examiner can normally be reached on M-F, 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MVE

Joseph S Del Sole
8/11/05
Joseph S. Del Sole